

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application 16-07-002 (Filed July 1, 2016)

## E-MAIL RULING INVITING COMMENTS ON PROPOSED DISCOVERY PROTOCOLS

Dated September 16, 2016, at San Francisco, California.

/s/ SOPHIA J. PARK
Sophia J. Park
Administrative Law Judge

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## A.16-07-003 SJP/vm1

From: Park, Sophia

Sent: Friday, September 16, 2016 11:22 AM

**To:** jason.ackerman@bbklaw.com; SaraSenger@comcast.net; dave@laredolaw.net; Sheppard, Kerriann; sarah.leeper@amwater.com; sdiveley@meyersnave.com; JSpurgin@TOaks.org; fran@laredolaw.net; dstoldt@mpwmd.net; steph@mpwmd.dst.ca.us; heidi@laredolaw.net; LDolqueist@nossaman.com; ca.reg@amwater.com; jbakker@meyersnave.com; jbouler@comcast.net; DorisFodge@att.net; Rauschmeier, Richard; Wong, Jocelyn; Ende, Julia; Dawadi, Mukunda; Angelopulo, Paul; Rose, Suzie

Cc: ALJ Support ID; ALJ Process; ALJ Docket Office

Subject: A.16-07-002 E-Mail Ruling Inviting Comments on Proposed Discovery Protocols

Pursuant to my direction at the prehearing conference, on September 14, 2016 counsel for the Monterey Peninsula Water Management District served proposed language for inclusion in the Scoping Memo regarding discovery protocols. (See attached.) Parties may file and serve comments on Monterey Peninsula Water Management District's proposed language by September 23, 2016.

THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING.

Sophia J. Park Administrative Law Judge California Public Utilities Commission (415) 703-2116



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September 14, 2016

TO: ALJ Sophia Park

FROM: Fran Farina

RE: A.16-07-002: Draft Text for Scoping Memo re: Discovery

Per your direction at the Prehearing Conference on September 12, 2016, below is suggested text for inclusion in the Scoping Memo addressing Discovery. You have tasked De Lay & Laredo with submitting this to you and copying the Service List.

## "Discovery

Discovery will be conducted according to Article 10 of the Rules. As provided in Rule 10.1, "[A]ny party may obtain discovery from any other party regarding any matter, not privileged, that is relevant to the subject matter involved in the pending proceeding, if the matter either is itself admissible in evidence or appears reasonably calculated to lead to the discovery of admissible evidence, unless the burden, expense, or intrusiveness of that discovery clearly outweighs the likelihood that the information sought will lead to the discovery of admissible evidence."

If the parties have discovery disputes they are unable to resolve through meet and confer sessions, they shall raise these disputes under the Commission's Law and Motion procedure as soon as possible to avoid unnecessary delay in the proceeding. (See Rule 11.3)

In an effort to avoid duplicative data requests, the party making a request shall also serve the request on the official service list and the responding party shall likewise serve the response(s) on the official service list.

Non-Disclosure Agreements should be provided when disclosing privileged or confidential information.

Nothing in this Discovery section shall limit the rights provided in PUC Section 309.5 to the Office of Ratepayer Advocates to compel the production or disclosure of any information it deems necessary to perform its duties from any entity regulated by the Commission, provided that any objections to any request for information shall be decided in writing by the assigned Commissioner or by the President of the Commission, if there is no assigned Commissioner."